

EXHIBIT B

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10 Attorneys for Non-Party
11 Orrick, Herrington & Sutcliffe LLP

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 LOOP AI LABS, INC.,

16 Plaintiff,

17 v.

18 ANNA GATTI, et al.,

19 Defendants.

Case No. 3:15-cv-00798-HSG-DMR

**ORRICK, HERRINGTON &
SUTCLIFFE LLP'S RESPONSES AND
OBJECTIONS TO SUBPOENA DUCES
TECUM**

20 Non-party Orrick, Herrington & Sutcliffe LLP ("Orrick") responds and objects as follows
21 to the subpoena duces tecum deemed by order of the Court to have been served by plaintiff Loop
22 AI Labs Inc. on July 23, 2015.

REQUEST FOR PRODUCTION NO. 1:

23 Produce all documents and communications concerning, discussing or expressing an
24 interest in the retention of Orrick, Herrington & Sutcliffe LLP ("Orrick") by any one of the
25 following: Almaviva S.p.A., Alwave S.r.l., Alwave USA Inc. (together sometimes referred
26 to as the "Almaviva Entities"), Anna Gatti ("Gatti"), Antonio or Tony Di Napoli or DiNapoli
27 ("TDN"), IQSystem Inc., or IQSystem LLC (together sometimes referred to as the "IQSystem
28 Entities").

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Orrick objects to this request as to Almawave S.r.l. ("Almawave") and Almaviva S.p.A. ("Almaviva") on the ground that it seeks documents protected by the attorney-client privileges belonging to those companies. Orrick has no documents responsive to this request as to any of the other named persons or entities.

REQUEST FOR PRODUCTION NO. 2:

Produce all engagement letters provided by Orrick to any one of the following: Almaviva S.p.A., Almawave S.r.l., Almawave USA Inc., Gatti, TDN, IQSystem Inc., or IQSystem LLC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Orrick objects to this request as to Almawave on the ground that it seeks a document protected by the attorney-client privilege belonging to Almawave, specifically an engagement letter dated April 4, 2014. Orrick also had engagements for Almaviva (opened in April 2003), and Almaviva Finance S.p.A. (opened in April 2010), both of which ended prior to 2012. Orrick objects to this request to the extent it relates to either of those companies on the ground that it seeks documents protected by the attorney-client privileges belonging to those companies and that those engagements are irrelevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence. Orrick has no documents responsive to this request as to any of the other named persons or entities.

REQUEST FOR PRODUCTION NO. 3:

Produce documents sufficient to identify each client number(s) and matter number(s) assigned by Orrick to any one of the following: Plaintiff, Almaviva S.p.A., Almawave S.r.l., Almawave USA Inc., Gatti, TDN, IQSystem Inc., or IQSystem LLC.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Orrick's client number for Almawave is 30768. The two matter numbers for Almawave matters are 2 (California Joint Venture) and 4000 (IP Counseling). Orrick's client number for Almaviva is 13770. The matter number for the sole matter for this client is 2 (Finsiel Tema Legale). Orrick's client number for Almaviva Finance S.p.A. is 24286. The matter number for the sole matter for this client is 2001 (Fallimento PBS). Orrick has no client or matter numbers

1 for any of the other named persons or entities.

2 **REQUEST FOR PRODUCTION NO. 4:**

3 Produce all documents and communications regarding or reflecting any conflicts
4 clearance conducted by Orrick or any discussions within Orrick (between or among anyone at
5 Orrick) regarding conflicts or conflicts clearance undertaken by Orrick regarding its engagement
6 or prospective engagement to represent any of the following individuals or entities, or undertaken
7 by Orrick at any time between January 1, 2014 to March 11, 2015: Al maviva S.p.A., Al mawave
8 S.r.l., Al mawave USA Inc., Gatti, TDN, IQSystem Inc., or IQSystem LLC.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

10 Orrick will produce its conflicts clearance report for Al mawave (except for pages that
11 reflect searches only for the term “iq” or the word “system” and thereby reference other Orrick
12 clients whose identity is confidential and privileged). Orrick objects to producing its conflict
13 clearance report for Al maviva on the ground that it is irrelevant to the subject matter of this action
14 and not reasonably calculated to lead to the discovery of admissible evidence. Orrick has no such
15 reports for any of the other named persons or entities.

16 **REQUEST FOR PRODUCTION NO. 5:**

17 Produce all invoices and billing records and details issued by Orrick to any of the
18 following: Al maviva S.p.A., Al mawave S.r.l., Al mawave USA Inc., Gatti, TDN, IQSystem Inc.,
19 or IQSystem LLC; produce the correspondence sent by Orrick enclosing each such invoices or
20 billing records responsive to this request.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

22 Orrick objects to this request on the ground that it seeks documents protected by the
23 attorney-client privileges belonging to Al mawave and Al maviva. Orrick has no documents
24 responsive to this request as to any of the other named persons or entities.

25 **REQUEST FOR PRODUCTION NO. 6:**

26 Produce all documents and communications regarding payments requested or received by
27 Orrick from anyone on behalf of the following individuals or entities: Al maviva S.p.A., or
28 Al mawave S.r.l., or Al mawave USA Inc., or Anna Gatti, or IQSystem Inc., or IQSystem LLC, or

1 Tony Di Napoli, or Antonio Di Napoli.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

3 Orrick objects to this request on the ground that it seeks documents protected by the
4 attorney-client privileges belonging to Almawave and Almaviva. Orrick has no documents
5 responsive to this request as to any of the other named persons or entities.

6 **REQUEST FOR PRODUCTION NO. 7:**

7 Produce all documents and communications containing billing details created within
8 Orrick but not included in invoices or bills issued to clients regarding the handling, discussion, or
9 representation of any aspect of the following individuals or entities: Almaviva S.p.A., or
10 Almawave S.r.l., or Almawave USA Inc., or Anna Gatti, or IQSystem Inc., or IQSystem LLC.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

12 Orrick objects to this request on the ground that it seeks documents protected by the
13 attorney-client privileges belonging to Almawave and Almaviva. Orrick has no documents
14 responsive to this request as to any of the other named persons or entities.

15 **REQUEST FOR PRODUCTION NO. 8:**

16 Produce any document or communication showing whether revisions to any invoices or
17 billing records have been made by anyone at Orrick for invoices or billing records relating to any
18 one of the following entities or individuals from January 1, 2015 to the present: Plaintiff,
19 Almaviva S.p.A., Almawave S.r.l., Almawave USA Inc., Gatti, TDN, IQSystem Inc., or
20 IQSystem LLC.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

22 Orrick objects to this request on the ground that it seeks documents protected by the
23 attorney-client privileges belonging to Almawave and Almaviva. Orrick has no documents
24 responsive to this request as to any of the other named persons or entities.

25 **REQUEST FOR PRODUCTION NO. 9:**

26 Produce documents sufficient to identify all Orrick attorneys, paralegals or any other
27 employee involved in, or participating in, any aspect of the representation of any of the following:
28 Almaviva S.p.A., Almawave S.r.l., Almawave USA Inc., Gatti, TDN, IQSystem Inc., or

1 IQSystem LLC. If this information is already contained in the billing details produced under
2 another request made herein, this request can be disregarded. If any member, attorney, or other
3 employee or agent of Orrick who participated in, or was involved in, any aspect of the
4 representation or in any discussions regarding any of the above individuals or entities, please
5 produce documents sufficient to identify each such individual who is not otherwise reflected in
6 other documents to be produced by Orrick.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

8 Orrick will produce the requested information for Almaxwave and Almaxviva. Orrick has
9 no documents responsive to this request as to any of the other named persons or entities.

10 **REQUEST FOR PRODUCTION NO. 10:**

11 Produce documents sufficient to identify the Orrick attorney(s) who authorized or directed
12 Orrick employee Valerie S. Hein to become the Incorporator of Almaxwave USA, Inc..

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

14 The attorneys sought by this request are Peter Sternberg and Scot Strube.

15 **REQUEST FOR PRODUCTION NO. 11:**

16 Produce all calendars, agenda, or appointment records of Valeria S. Hein and any other
17 Orrick attorney, paralegal, administrative assistant or other employee showing any meeting,
18 teleconference or other appointment or scheduling note, listing, naming or referring to any one of
19 the following individuals or entities: Almaxviva S.p.A., Almaxwave S.r.l., Almaxwave USA Inc.,
20 Gatti, TDN, Valeria Sandei, IQSystem Inc., or IQSystem LLC.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

22 Orrick has no electronic records responsive to this request. Orrick objects to this request
23 to the extent it seeks handwritten documents on the grounds that (a) any such documents relating
24 to Almaxwave or Almaxviva are protected by the attorney-client privilege belonging to those
25 companies and (b) searching for such documents would impose undue burden and expense on
26 Orrick.

27 **REQUEST FOR PRODUCTION NO. 12:**

28 Produce documents sufficient to identify each of the Orrick attorney or attorneys who

1 were designated as the responsible attorney(s) within Orrick for the billing and/or supervision of
2 any matter for any one of the following: Al maviva S.p.A., Al mawave S.r.l., Al mawave USA Inc.,
3 Gatti, TDN, IQSystem Inc., or IQSystem LLC.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

5 The responsible attorney designated by Orrick for Al mawave prior to February 1, 2015 is
6 Peter Sternberg and thereafter is Robert Isackson. The responsible attorney designated by Orrick
7 for Al maviva is Alessandro D Nicola. Orrick has not designated a responsible attorney for any of
8 the other named persons or entities.

9 **REQUEST FOR PRODUCTION NO. 13:**

10 Produce documents sufficient to identify which Orrick attorney or attorneys were
11 designated within Orrick as having brought to the firm as clients any one of the following:
12 Al maviva S.p.A., Al mawave S.r.l., Al mawave USA Inc., Gatti, TDN, IQSystem Inc., or
13 IQSystem LLC, Wi Harper Group, or Founders Fund.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

15 The "originating attorney" designated by Orrick for Al mawave prior to February 1, 2015
16 is Peter Sternberg and thereafter is Robert Isackson. The "originating attorney" designated by
17 Orrick for Al maviva is Alessandro De Nicola. Orrick has not designated an "originating
18 attorney" for any of the other named persons or entities.

19 **REQUEST FOR PRODUCTION NO. 14:**

20 Produce all correspondence received by any Orrick attorney, paralegal, employee, agent
21 or other (as set forth in the Definitions above) from the email address anna.gatti@gmail.com in
22 which Gianmauro Calafiore was not copied in the correspondence received by Orrick.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

24 Orrick will produce the requested documents that relate to plaintiff. Orrick objects to this
25 request to the extent it requests documents that relate to Al mawave on the ground that such
26 documents are protected by the attorney-client privilege belonging to Al mawave.

27 **REQUEST FOR PRODUCTION NO. 15:**

28 Produce all correspondence sent by any Orrick attorney, paralegal, employee, agent or

1 other (as set forth in the Definitions above) to the email address anna.gatti@gmail.com in which
2 Gianmauro Calafiore was not copied in the correspondence.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

4 Orrick will produce the requested documents that relate to plaintiff. Orrick objects to this
5 request to the extent it requests documents that relate to Almaxwave on the ground that such
6 documents are protected by the attorney-client privilege belonging to Almaxwave.

7 **REQUEST FOR PRODUCTION NO. 16:**

8 Produce all correspondence received by, or sent to, any Orrick attorney, paralegal,
9 employee, agent or other (as set forth in the Definitions above) from any of the following email
10 addresses: @iqsystem.us, tonycons@almaxwave.com, t.dinapoli-cons@almaxwave.com,
11 tony@iqsystem.us, m.garner-cons@almaxwave.com, a.gatti@almaxwave.com,
12 gatti.anna@almaxwave.it, l.wu@almaxwave.com, f.valentini-cons@almaxwave.com, manuela-
13 cons@almaxwave.com, manuela@iqsystem.us, peter@iqsystem.us.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

15 Orrick objects to this request on the ground that it seeks documents protected by the
16 attorney-client privilege belonging to Almaxwave.

17 **REQUEST FOR PRODUCTION NO. 18:**

18 Produce all documents and communications concerning, regarding, discussing or
19 memorializing a discussion, communication or legal advice given to anyone at Almaxviva S.p.A.,
20 Almaxwave S.r.l., Almaxwave USA Inc., Valeria Sandei, Gatti or TDN regarding any legal
21 implication, conflict or permissibility of any aspect of the following: Anna Gatti's work,
22 retention, hire, or employment, or other affiliation with Almaxviva S.p.A. and Almaxwave S.r.l., or
23 Anna Gatti's work, hire, affiliation or other retention by Almaxwave USA Inc., including as its
24 Chief Executive Officer.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

26 Orrick objects to this request on the ground that it seeks documents protected by the
27 attorney-client privilege belonging to Almaxwave.

REQUEST FOR PRODUCTION NO. 19:

Produce all documents and communications concerning, regarding, discussing or memorializing a discussion, communication regarding any aspect of the patent application prepared by Orrick and published at Publication No: US20140343927, in which Anna Gatti is copied in the correspondence.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

Orrick objects to this request on the ground that it seeks documents protected by the attorney-client privilege belonging to Almaxwave.

REQUEST FOR PRODUCTION NO. 20:

Produce the corporate minute book (or any similar compilation of corporate documents) and any other corporate documents maintained by Orrick for any one of Almaxwave USA Inc., Almaxviva S.p.A., or Almaxwave S.r.l. relating to the corporate existence and business affairs of any one of the foregoing entities, including any articles of incorporation, shareholder resolutions, board meeting minutes, and all other similar documents generally kept in the corporate minute book or its equivalent.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Orrick objects to this request on the ground that it seeks documents protected by the attorney-client privilege belonging to Almaxwave.

REQUEST FOR PRODUCTION NO. 21:

Produce all documents and communications relating to any aspects of any negotiation for Contracts entered into between Almaxwave USA Inc., Almaxviva S.p.A., or Almaxwave S.r.l. on the one hand, and Gatti, TDN, or IQSystem Inc. or LLC on the other hand.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Orrick objects to this request on the ground that it seeks documents protected by the attorney-client privilege belonging to Almaxwave.

REQUEST FOR PRODUCTION NO. 22:

Produce all non-privileged documents and communications sent or received by Orrick from/to third parties outside of Orrick regarding or discussing Almaxwave USA Inc., Almaxviva

1 S.r.l., Al maviva S.p.A., Valeria Sandei or Gatti, including any invitation to presentations, events
2 or meetings.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

4 Orrick will produce the requested documents to the extent they were created after January
5 1, 2014. Orrick objects to producing documents created prior to that date on the ground that they
6 are irrelevant to the subject matter of this action and not reasonably calculated to lead to the
7 discovery of admissible evidence and that searching for such documents would impose undue
8 burden and expense on Orrick.

9 **REQUEST FOR PRODUCTION NO. 23:**

10 Produce all documents and communications received or sent by any one at Orrick,
11 including John Bautista, from February 1, 2015 to the present, including from his personal email
12 address johnvbautista@gmail.com regarding, discussing, addressing, referencing or containing a
13 reference or a discussion of any one of the following: (A) TOPIC: any actual or potential
14 litigation by Plaintiff, including, but not limited to, any discussion of litigation strategy, litigation,
15 funding for Plaintiff or any similar topic, (B) TERMS: (1) gatti, (3) calafiore, (4) sandei, (5)
16 almawave, (6) al maviva, except that communications also sent to gm@loop.ai or to
17 valeria.healy@healylex.com need not be produced.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

19 Orrick will produce the requested documents, except that Orrick objects to this request to
20 the extent it seeks (a) documents relating to the Litigation that were sent to or by Orrick's Chief
21 Legal Officer Larry Low or Claims Counsel William Alderman, on the ground that such
22 documents are protected by the attorney-client privilege belonging to Orrick and/or constitute
23 Orrick's work product; or (b) documents sent to or by any person at Almawave, on the ground
24 that such documents are protected by the attorney-client privilege belonging to Almawave.

25 **REQUEST FOR PRODUCTION NO. 24:**

26 Produce all of Orrick internal documents, correspondence and any other records, from
27 February 1, 2015 to the present discussing, referencing or in any way addressing any conflicts or
28 other issue relating to Orrick's representation of Plaintiff or Al maviva S.p.A., Almawave S.r.l.,

1 Almarwave USA Inc., Gatti, Valeria Sandei, including any correspondence with Orrick's insurers
2 regarding Plaintiff or Almarviva S.p.A., Almarwave S.r.l., Almarwave USA Inc., Gatti, Valeria
3 Sandei.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

5 Orrick objects to this request on the ground that such documents are protected by the
6 attorney-client privilege belonging to Orrick and/or constitute Orrick's work product. Orrick has
7 no responsive documents constituting correspondence with its insurers.

8 **REQUEST FOR PRODUCTION NO. 25:**

9 Produce all documents and communications within Orrick relating, discussing or in any
10 way mentioning Mark I. Janoff's request to Plaintiff for the payment of a \$1,000 retainer to
11 Orrick on February 27, 2015.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

13 Orrick will produce the requested documents.

14 **REQUEST FOR PRODUCTION NO. 26:**

15 Produce all documents and communications within Orrick from February 1, 2015 to the
16 present relating to, discussing or in any way mentioning the Lawsuit or Litigation filed by
17 Plaintiff; as defined above.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

19 Orrick will produce the requested documents, except that it objects to this request to the
20 extent it seeks documents sent to or by Larry Low or William Alderman, on the ground that such
21 documents are protected by the attorney-client privilege belonging to Orrick and/or constitute
22 Orrick's work product.

23 **REQUEST FOR PRODUCTION NO. 27:**

24 Produce document sufficient to identify the "accounting and billing manager" referenced
25 by John Bautista in his correspondence to Plaintiff on February 27, 2015 and produce all
26 documents and communications within Orrick relating to any billing restriction preventing
27 Orrick's employees from entering time for Plaintiff, including, but not limited, to all documents
28 showing when the billing restrictions described by Mr. Bautista were activated.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

2 The accounting and billing manager referenced by John Bautista is Rebecca Innocenti.
3 Orrick will produce the requested documents relating to the billing restriction regarding plaintiff.

4 **REQUEST FOR PRODUCTION NO. 28:**

5 Produce Orrick's "internal accounting and billing guidelines" referenced by John Bautista
6 in his correspondence to Plaintiff of February 27, 2015.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

8 Orrick will produce the requested documents.

9 **REQUEST FOR PRODUCTION NO. 29:**

10 Produce all documents and correspondence from February 1, 2015 to (and including)
11 March 11, 2015 between Larry Low and anyone else, including anyone inside Orrick, regarding,
12 addressing, concerning or in any way referencing Plaintiff, the Lawsuit or Litigation (as defined
13 above), Gatti, Almarave, Sandei, Venable, Healy LLC, or regarding, addressing, concerning or
14 in any way referencing the subject matter or contents of Mr. Low's email filed in this action at
15 Dkt. No. 29-1.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

17 Orrick objects to this request on the ground that such documents are protected by the
18 attorney-client privilege belonging to Orrick and/or constitute Orrick's work product.

19 **REQUEST FOR PRODUCTION NO. 30:**

20 Produce any note, diary, or record made of any call received or made by John Bautista
21 from/to Anna Gatti from January 1, 2015 to the present, including records sufficient to identify
22 the telephone numbers used by Mr. Bautista for any such calls. If John Bautista received any
23 calls from Anna Gatti during this period but did not make a record of it, please so indicate that the
24 call(s) was received/made but no record exist of the call.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

26 Orrick has no documents responsive to this request.

27 **REQUEST FOR PRODUCTION NO. 31:**

28 Produce all accounting and billing guidelines referenced by John Bautista in his

1 correspondence to Valeria Healy dated February 27, 2015.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

3 Orrick will produce the requested documents.

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5
6 Dated: July 30, 2015

WILLIAM F. ALDERMAN
ORRICK, HERRINGTON & SUTCLIFFE
LLP

7
8
9 /s/ William F. Alderman
10 WILLIAM F. ALDERMAN
11 Attorneys for Non-Party
12 Orrick, Herrington & Sutcliffe LLP
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